

EXHIBIT 1

From: Kevin Polansky <kevin.polansky@nelsonmullins.com>
Sent: Monday, March 8, 2021 12:44 PM
To: Troutman, Eric J. <eric.troutman@squirepb.com>; Anthony Paronich <anthony@paronichlaw.com>; Christine Kingston <christine.kingston@nelsonmullins.com>
Cc: Ted Broderick <ted@broderick-law.com>; Matthew McCue <mmccue@massattorneys.net>; Quinn, Meghan <meghan.quinn@squirepb.com>
Subject: RE: Mantha v. Quotewizard

Eric,

Thanks for clarifying the communications below. At this point, to avoid confusion based upon a statement made in my affidavit, I plan to file a short supplement attaching this email string so that the Court is aware of Anthony and Eric's respective position as to what was discussed on their call.

Our supplement will be limited to that discrete issue.

Thanks,

Kevin



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From: Troutman, Eric J. <eric.troutman@squirepb.com>
Sent: Monday, March 8, 2021 12:22 PM
To: Kevin Polansky <kevin.polansky@nelsonmullins.com>; Anthony Paronich <anthony@paronichlaw.com>; Christine Kingston <christine.kingston@nelsonmullins.com>
Cc: Ted Broderick <ted@broderick-law.com>; Matthew McCue <mmccue@massattorneys.net>; Quinn, Meghan <meghan.quinn@squirepb.com>
Subject: RE: Mantha v. Quotewizard

Hi folks

Anthony's email below is correct. I don't think I said anything different to Kevin and if I did it was an error.

But let me flesh this out a bit so everyone has the full context and end the game of telephone here.

As I relayed to Kevin on our call, I spoke to Anthony because I was concerned Drips would need to file a miscellaneous proceeding in Ohio to seek protection of the Court's order compelling QuoteWizard's production—an order that seemed to turn on a faulty premise, i.e. that the subject records are within QW's possession or control. And an order that did not account for Drips' burden or jurisdictional objections.

Anthony agreed with my read that the order did not directly compel Drips to produce records, although he expressed no opinion as to whether Drips might otherwise be responsible to produce records on QW's demand and suggested that Drips should invoice QW for the attendant expense. I explained that the burden was simply too great on Drips for it to shut down portions of its regular operations to deploy the developer time necessary to produce records, even if it was eventually compensated for its time.

In my call with Kevin I explained that Drips would not be immediately seeking a protective order given that Anthony confirmed my read of the order. I did not intend to suggest, however, that Drips was refusing to produce records on that basis. Rather I informed Kevin—as I did Anthony—that the burden attendant the production was very high and that Drips was unwilling to undertake that burden.

I also advised Kevin that I had personally reviewed the pertinent agreements and found no basis for QuoteWizard to contend that the subject records had to be produced by Drips on QW's demand. I asked him whether QuoteWizard had a different position on the contract terms. To date I have not heard back.

I view this situation as highly unusual and difficult to navigate. QuoteWizard has been ordered to produce records that, as far as I can tell, are simply not in its possession or control. Drips, the third-party in possession of the records, does not want to raise the Massachusetts Court's ire—or put QuoteWizard in a difficult position— by refusing to produce records, yet the burden here really is inescapably high.

Happy to discuss further.



Eric J. Troutman

Partner

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From: Kevin Polansky <kevin.polansky@nelsonmullins.com>

Sent: Monday, March 8, 2021 7:17 AM

To: Anthony Paronich <anthony@paronichlaw.com>; Christine Kingston <christine.kingston@nelsonmullins.com>

Cc: Ted Broderick <ted@broderick-law.com>; Matthew McCue <mmccue@massattorneys.net>; Troutman, Eric J. <eric.troutman@squirepb.com>

Subject: [EXT] RE: Mantha v. Quotewizard

Anthony,

I'll let Eric speak to that as that's what he stated to me. I'm happy to jump on a call to discuss with both of you.

Kevin



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From: Anthony Paronich <anthony@paronichlaw.com>

Sent: Monday, March 8, 2021 10:05 AM

To: Christine Kingston <christine.kingston@nelsonmullins.com>; Kevin Polansky <kevin.polansky@nelsonmullins.com>

Cc: Ted Broderick <ted@broderick-law.com>; Matthew McCue <mmccue@massattorneys.net>; Troutman, Eric J. <eric.troutman@squirepb.com>

Subject: Mantha v. Quotewizard

◀**External Email**▶ - From: anthony@paronichlaw.com

Kevin:

I take issue with the representation in the attached motion and affidavit that I informed Eric that “Plaintiff did not believe or take the position that the Order required Drips to produce the records to QuoteWizard. According to Drips’s counsel, this stated position from Plaintiff’s counsel informed Drips’s continued refusal to produce the records to QuoteWizard even after the issuance of ECF No. 144.”

I’ve copied Eric here so he can participate, but speaking for myself, my position was that simply that the Order was directed to QuoteWizard and not Drips. I did not tell Eric that DRIPS did not have to produce. We have been trying to get these records for a very long time.

Regards,

Anthony Paronich

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